

Remarks

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,327,330 to McCullough.

McCullough discloses an L-shaped support pillow that comprises a main body portion (13) and two opposite articulately connected wing portions (11, 12). The main body portion and the two wing portions are filled with suitable stuffing material. (col. 1 lines 53-56) The L-shaped main body portion and the two wing portions are separated by seams which act as hinges, allowing the wing portion to fold under the main body portion. (col. 1 lines 58-64) Provided that the folded wing portions are not fastened together, they are capable of creating a space traversing the underside of the main body portion from its front edge to its rear edge. However, and as the presently amended claims now more particularly describe, Applicant's side sleeping pillow comprises two pairs of side pads attached to the main pillow cushion [12] and capable of folding under said main pillow whereby at least two different spaces traversing the underside of said main pillow are created. A first space traversing the underside of the main pillow from front to back and a second space traversing the underside of the main pillow from side to side, creating a first main arm channel [32] as shown in Applicant's Fig. 4 and a second side arm channel [26] as shown in Applicant's Fig. 5.

Claims 1-2 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,418,991 to Shiflett.

Shiflett discloses a support pillow that comprises an elongated central cushion (12) and four elongate peripheral cushions (14a, 14b, 14c, 14d) and opposing seams for interconnecting sets of two of the peripheral cushions to each other and to opposing sides of the central cushion. The central and peripheral cushions are filled with a resilient filling (col. 3 lines 50-53). However, unlike Applicant's side sleeping pillow, the space between central cushion (12) and, for example, peripheral cushions 14a and 14b to receive, for example, a limb (L) as shown in Fig. 3 of Shiflett, is not created by folding said

elongate peripheral cushions under said central cushion. Instead, Shiflett, with reference to Fig 3., points out that "the cushions 12 and 14a-d are sufficiently stuffed with a fiber-fill or foam of sufficient density so that the appliance 10 is self-supporting and the clustered arrangement of the cushions 12 and 14a-d is maintained even when in use" (col. 3 lines 52-56). In other words, in Shiflett, the space is permanent and is created because of the self-supporting and clustered, generally X-shaped construction of the pillow and not because of a deliberate folding of the peripheral cushions by a user.

With this amendment, Applicant believes this application is now in condition for allowance, which action is respectfully solicited.

Respectfully submitted,

Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.

By:



David M. Mundt, Registration No. 41,207

200 West Adams Street, Suite 2850
Chicago, Illinois 60606

(312) 419-0800

September 27, 2006